**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.GIRI**

**TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929**

**WP(C).No. 34357 of 2007(M)**
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**PETITIONERS:**
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1. **E.N.RAJAMMA, W/O SREEDHARAN,**
   **KUNNATHANICKAL HOUSE, ARAKULAM P.O.**

2. **P.N.NALINI, W/O VELAYUDHAN,**
   **THEKKUMMURIYIL HOUSE, KANJIKUZHI P.O.,**
   **(KUZHA CITY), IDUKKI.**

**BY ADV. SRI.R.DIVAKARAN**

**RESPONDENTS:**
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1. **STATE OF KERALA, REPRESENTED BY ITS**
   **THE SECRETARY, PUBLIC HEALTH DEPARTMENT,**
   **GOVT. SECRETARIAT, THIRUVANANTHAPURAM.**

2. **DISTRICT MEDICAL OFFICER(H),**
   **OFFICE OF THE DISTRICT MEDICAL OFFICER OF HEALTH,**
   **PAYINAVU, IDUKKI.**

**BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**V.GIRI, J.**

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**W.P.(C)NO.34357 OF 2007**

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**Dated this the 4th day of December 2007**

**JUDGMENT**

The petitioners were Part Time Sweepers in the Health Services Department. According to them, their appointments were regularised as well. The first petitioner is stated to have retired from service on 30.1.2000 and the second petitioner on 30.9.2003. They are aggrieved that they have not been disbursed any retirement benefits as such.

2. On instructions, learned Government Pleader submits that the Government is contemplating registration of a vigilance case against the petitioners on the ground that their original orders of appointment were procured by fraudulent means, and it is therefore their pension papers have not been processed. The submission is recorded. In the circumstances, it may not be open to the petitioners to seek disbursal of either pension or or any other retirement benefits until the enquiry as contemplated by the Government is completed. I cannot therefore issue any direction to the respondents as sought for by the petitioners in this case. The writ petition is dismissed, but without prejudice to the right of the petitioners to take appropriate steps for an expeditious completion of the enquiry mentioned above.

**V.GIRI, JUDGE**

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